

Next 1 Page(s) In Document Exempt

10 APR 78
DDA 78-0806/10

OLC 78 786/1

Media

MEMORANDUM FOR: Director, National Foreign Assessment Center
Deputy Director for Operations
Deputy Director for Science and Technology
General Counsel
Acting Legislative Counsel
Inspector General
Comptroller
Director, Equal Employment Opportunity
Assistant for Public Affairs

FROM : John F. Blake
Deputy Director for Administration

SUBJECT : Procedures Governing Release of CIA Information to
the Public

REFERENCE : Multiple addressee memorandum from DDA dtd 28 February
1978, Subject: Release of CIA Information to the
Public

1. All of you have responded to my request for comments on the report of the Agency working group to study release of CIA information to the public. Thank you for the time and obvious thought which you gave to this important subject. It is apparent that there are large areas of consensus in how we should proceed on this important matter of protecting the Agency from inappropriate releases of information, although there are some areas of disagreement. Taking all of your comments into account, I have decided to take the following specific actions, most of which were recommended by the working group.

a. We will establish an IRC Working Group (referred to in the past as a "sub-IRC"). This group will be under the chairmanship of my Assistant for Information and will include representatives of the OGC, OLC, PAO and each member of the IRC. I see this group as providing a forum in which policy questions concerning information release can be staffed out and in many cases resolved without directly involving the senior managers who comprise the IRC. Obviously, policy differences which cannot be resolved by the Working Group can and should be referred to the IRC for resolution. I hereby request each IRC member, the General Counsel, the Acting Legislative Counsel and the Assistant for Public Affairs to designate a senior officer to represent them on this new IRC Working Group.

ST. LOUIS POST-DISPATCH

10 April 1978

Cautious Judge

The U.S. Court of Appeals for the 8th Circuit has wisely told a lower court that it should not accept the Central Intelligence Agency's refusal to release a file merely on the basis of the agency's claim of a need for secrecy. In a freedom of information suit, Lawrence Frank, an Iowa City freelance photographer, had sought the file to find out whether it contained information about a trip he made to Cuba in the late 1960s. U.S. District Judge W. C. Stuart of Iowa dismissed the suit when the CIA declined to release the file, despite Mr. Frank's contention that the material might have been gathered illegally and improperly classified.

In an unsigned opinion, the appellate court here ordered Judge Stuart to examine the one-page file to find out whether it contained information, the release of which might really damage the national security. In the light of the CIA's history of classifying material to avoid embarrassment or cover up wrongdoing, the agency's claim of necessary secrecy should not be accepted at face value.

Many judges, like other government officials, are far too prone to bow down to claims of national security, although they may be frivolous. If Judge Stuart, upon examining the document, again rules against disclosure, the public would still have no way of knowing whether his ruling was justifiable or an overly cautious surrender to the talisman of national security.

media
6

file

Mrs. Humphrey, Declining to Run, Clarifies Race

By DOUGLAS E. KNEELAND

Special to The New York Times

MINNEAPOLIS, April 9—Potential Senate candidates in both of Minnesota's major parties are breathing a lot easier now that Muriel Humphrey has announced that she will not seek election to the remaining four years of her late husband's term.

For the last couple of weeks betting had been heavy among knowledgeable political people here that the 66-year-old Mrs. Humphrey, who acknowledges that she has a slight blood-pressure problem, would not take on the rigors of a campaign in which she would have had to overcome a strong opponent in Representative Donald M. Fraser to win the nomination of her own Democratic-Farmer-Labor Party.

But until the moment last night when she told a gathering of 4,000 party members at the first Hubert H. Humphrey dinner in St. Paul of her decision, only a handful of friends, family members and aides really knew what she would do.

Meanwhile, although she has been serving in the Senate on an interim appointment by Gov. Rudy Perpich after her husband's death on Jan. 13, recent results of the respected Minnesota Poll had shown Mr. Fraser, the liberal Fifth District Congressman, running neck and neck with her as the choice of the party faithful for the nomination.

Winning Commitments

Perhaps even more telling was the strength that Mr. Fraser's organization had demonstrated at county and legislative district party conventions in winning the commitment of about 40 percent of the delegates to the upcoming Congressional district conventions.

At the same time, Mrs. Humphrey's loosely knit followers, who were awaiting her decision, were largely unsuccessful on the county level at gaining delegate commitments or even at having resolutions passed urging her to run.

But last night Mrs. Humphrey, radiant and obviously moved by the outpouring of affection for her and her late husband, gave no indication that she had been swayed by any possible political obstacles or by any concern for her health.

After declaring that she had "thoroughly enjoyed the challenges and responsibilities of this important and demanding office," she told the audience at the St. Paul Civic Center Auditorium that she had reread some of Mr. Humphrey's statements on public life before making her decision.

"While like Hubert, I feel stirred by the purpose and the promise and the



United Press International
Vice President Mondale embracing Senator Muriel Humphrey after announcement in St. Paul, Minn.

challenge of it," she said, "at this time in my life, after 12 campaigns for public office and 33 years of sharing fully with him and his duties as Mayor, Senator and Vice President, I want to return to Minnesota at the end of the interim period in November and resume life as a private person, with ample time for my home, family and friends."

Fraser Backers' Relief

The applause was long and loud and heartfelt. And no one cheered louder and longer than the backers of Mr. Fraser, crowd. For the consensus among Democratic-Farmer-Labor leaders has been that Mrs. Humphrey, because of the party's sentimental attachment to Mr. Humphrey, one of its founders, probably could have won the nomination at the June convention if she had really set out to work for it.

Some supporters of Mr. Fraser had recently been spreading the word that if Mrs. Humphrey took the nomination from their candidate they might attempt to block the endorsement of Senator Wen-

dell R. Anderson, who also faces an election in November.

"I was never a party to that," said Mr. Fraser, an eight-term Congressman who earlier had reluctantly agreed, in the name of party unity, not to challenge Mr. Anderson for the seat to which he had himself appointed when he resigned as Governor in 1976, following former Senator Mondale's election as Vice President.

In recent days, a broad segment of the party leadership conceded, although none wanted to be quoted by name, that Mr. Anderson was in trouble with the voters, primarily because of that virtual self-appointment. And Mr. Fraser's backers, in making their threat, were afraid that Mr. Anderson would succeed in convincing Mrs. Humphrey to make the race in the belief that her presence on the ballot would increase his chances of election.

The latest Minnesota Poll, published March 19 by The Minneapolis Tribune, showed Rudy Boschwitz, a wealthy plywood merchant and Republican national committeeman, leading Senator Anderson by 48 to 45 percent, with 7 percent undecided.

Endorsement Likely

As for Mr. Fraser, he now appears likely to get his party's endorsement in June, although he may have trouble because of his "freedom-of-choice" position on abortion and his strong environmentalist stands.

The withdrawal from the race last week of Nicholas Coleman, majority leader of the State Senate, leaves the anti-Fraser forces with no ready alternative at the convention.

But Robert E. Short, the millionaire Minneapolis businessman, lawyer and longtime party contributor, has announced plans to run a heavily financed campaign for the Senate nomination in the September primary election.

All of this, along with Mrs. Humphrey's withdrawal, suddenly makes the race for her Senate seat considerably more attractive to the Independent-Republicans, who had been having trouble coming up with a candidate for the special election.

On Thursday, Robert Brown, a former State Senator and former state party chairman, said he would seek endorsement for the seat.

Meanwhile, party leaders are attempting to persuade David Durenberger, a Minneapolis lawyer who had been consistently trailing Representative Albert H. Quie in his bid for the gubernatorial nomination, to pull out of that race and seek the Senate nomination.